

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ROBERT J. ELDER,

Plaintiff,

v.

ORDER
12-CV-338A(F)

CAROLYN W. COLVIN, Commissioner of
Social Security,

Defendant.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 7, 2014, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendant Commissioner's motions be denied in part, plaintiff Elder's motions should be granted in part and denied in part, and the matter should be remanded for further proceedings consistent with the Report and Recommendation.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendant's motions are denied in part, plaintiff's motions are granted in part and denied in part, and the matter is remanded for further proceedings consistent with this Report and Recommendation.

The Clerk of Court shall take all steps necessary to close this case.

IT IS SO ORDERED.

_____*Richard J. Arcara*_____
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: March 31, 2014